

THE YELLOW flag is flying in the Night-
ingale Ward.

MEMBERS should read Finance and
Mining for notice of counterfeits.

G. S. BECKSTEAD yesterday received
his commission as constable of South
Jordan Precinct.

REGULAR MONTHLY meeting of D. T.
U. No. 116, will be held to-day at the
usual place at 1:30 p.m.

THERE are messages in the Western
Union Telegraph office for Mary
Woodell and W. C. Lammiman.

LAND MATTERS at Logan are occupying
the attention of H. McMaster, C.
F. Evans and W. H. Bird, of this city.

THE NORTHERN Utah Mining Com-
pany vs. E. H. Hanson, was yesterday
dismissed in the Third District Court.

THE TAX collector's office at the
County Court House yesterday, almost
rivalled the Theatre in the number of
visitors.

THE case of Juliana Smith vs. James
MacKnight, in the District Court yester-
day, judgment was given for the
plaintiff.

THE PLASTER bath at the Hot Springs
will be closed for repairs on Monday
and Tuesday. Private baths can be
obtained as usual.

McDONNICK & Co. yesterday received
two cars of Humber bullion, valued at
\$4,500; Queen of the Hills ore, valued
at \$2,400; total value, \$6,900.

IN THE case of William R. Stewart vs.
William Jennings et al., the Court de-
livered its opinion, and finds title for
plaintiff with \$350 and interest.

A FORCE of workmen was yesterday
employed in removing the huge gravel
bank on the Utah Central, near Franck-
lyn, the cause of the accident which
gave rise to the recent lawsuit.

THE REGULAR Monday evening re-
hearsal of Iolanthe will not take place
to-morrow evening. There will, how-
ever, be a full rehearsal on Thursday
evening, at 7:30. The work is progress-
ing at a satisfactory rate.

JOSEPH R. WALKER, president, and
Henry Lawrence, one of the directors of
the Alice Mining Company, are mak-
ing an inspection of the company's
mines, and will remain in Butte several
days. They are the guests of Super-
intendent Hall, at Walkerville. Butte
Town Talk.

THE TEACHERS' Association met in
the Thirteenth Ward Assembly Rooms
on Friday evening, with County Super-
intendent William M. Stewart in the
chair. Only a few districts being rep-
resented, an adjournment was taken un-
til Friday evening, at 7:30. All the
teachers and school trustees are invited
to be present.

THE BOOKKEEPING class of R. Klet-
ting's evening school will commence
to-morrow evening, at 7 o'clock. Mr.
Thomas Hull, who has charge of this
department, is a thoroughly competent
accountant, and is abundantly able to
instruct in all branches of the science.
All who desire to participate in any of
the classes of this popular school,
should be present to-morrow evening.

THE Tribune of yesterday morning
contained the following item: "Eph.
Kelly was taxed \$5 yesterday for being
drunk on the streets of Zion. A relative
of Eph. Kelly, a blood relative of the former,
was required to pay \$10 into the city
treasury yesterday, for drunkenness
and disturbing the peace." A relative
of Eph. Kelly requests THE HERALD
to say that Eph. is a blood relation of
the individual mentioned. The item,
however, is as nearly correct as the
average "news" published by that
sheet.

FRANK MARGRETT will soon establish
for himself a reputation as the cham-
pion diver of the west. He was chasing
the festive duck on the Jordan River a
few evenings ago, when a sudden lurch
threw his trusty shotgun overboard,
and, with a sickening splash the weapon
went to the bottom. Visions of the
hard-earned ducats floated before him,
and in a few minutes he had doffed his
clothes and stood on the river bank.
Seven times he sought the river bed,
and at last succeeded in catching the
gun. He also caught a cold at the
same time.

"The Place of Beverages."
The Occidental bar, where the choicest
of wines, liquors and beers are manipu-
lated in the most tempting fashion by
the experienced proprietors. The
family trade and private parties sup-
plied. Best of California and imported
wines and fragrant cigars always in
stock.
AVERACH & BROS.

Our Gents' Custom-made Suit De-
partment has received more new
clothes.
F. AVERACH & BROS.

We sell 15 cents each for empty coal oil
cans.
CULMER BROS.

Fox & Symons
Have reduced the price of photographs.
All work done by the dry-plate instanta-
neous process. Reduction permanent.
RIVERS BROS.

All Papers, Wrapping Papers, etc.,
sent to Postoffice, with Parson's & Co.
RIVERS BROS.

WILL YOU SUFFER with Dyspep-
sia and Liver Complaint? Shiloh's
Vitalizer is guaranteed to cure you.
For sale at A. C. Smith & Co's Drug
Store.

Jealous advertising, backed by
carrying out all you claim to do, will
eventually pay. Simon Bros. are pro-
viding this more and more from day to
day.

For one week we will pay 15 cents
each for empty coal oil cans.
CULMER BROS.

LEWIS, Misses' and Children's Under-
wear in large variety, and at extremely
low figures, at the popular store of
SIMON BROS.

The rush for goods at Simon Bros.
continues, and, if any, is increasing.

WRONGS OF A WIFE.

The Story of Mrs. Mary A. MacKnight.

WHO ASKS FOR A DIVORCE.

She Alleges Cruel and Inhuman
Treatment—A Refusal to Commit
Perjury at MacKnight's Request.

The following document was filed in
the Probate Court yesterday:
In the Probate Court in and for Salt Lake
County, Utah Territory:

Mary Ann MacKnight, Plaintiff,
vs.
James MacKnight, Defendant.

Petition for Divorce.

Now comes Mary Ann MacKnight,
the plaintiff above named, and com-
plains of James MacKnight, the de-
fendant herein, and for causes alleged:
First.—That she, the said plaintiff, is
now and for more than one year past
has been an actual bona fide resident of
Salt Lake County, in the Territory of
Utah.

Second.—That she, the said plaintiff,
was married to said defendant on the
day of July, 1863, at Salt Lake City,
in Salt Lake County, Utah Territory,
and they have ever since continued to
be and now are husband and wife.

Third.—That there are six children
now living, the issue of said marriage,
whose names and dates of birth are as
follows, to wit:

James F. MacKnight, born June 27,
1867.

Alice Adela MacKnight, born Janu-
ary 12, 1870.

Joseph F. MacKnight, born July 20,
1872.

Walter Scott MacKnight, born Sep-
tember 15, 1873.

Victor Rudolph MacKnight, born
August 1, 1881.

Rivilda Josephine MacKnight, born
September 3, 1883.

Fourth.—That ever since she, the
said plaintiff, has been married to the
said defendant, she has conducted her-
self toward him as a good and dutiful
wife, and discharged all her marital ob-
ligations to him, but that he has not
conducted himself toward her as a hus-
band should, but on the contrary he,
the said defendant, has cruelly treated
the said plaintiff to such an extent that
he has caused her great mental dis-
tress.

Fifth.—She further says that he has
also cruelly treated their children par-
ticularly their oldest boy and girl, or-
dering the said girl, Alice Adela
MacKnight, to leave the house, called
her bad, vulgar and evil names, and
refused to furnish her proper clothing,
and she further says that as to the
other children they are poorly clad and
almost destitute, and that he has not
furnished plaintiff sufficient clothes
and that she has had to earn them her-
self.

About three years ago he threatened
to kill with an axe their oldest boy,
James F. MacKnight, and has cruelly
beaten him; that about two years
ago he, the said defendant, would not
permit the said James F. MacKnight to
sleep in the house, and compelled him
to sleep out doors in cold and freezing
weather, until the said boy contracted a
very severe cold; that the said de-
fendant said that if the said boy came in
the house that someone would be shot,
and by his general bad and cruel treat-
ment of the said boy has driven him
away from home and will not allow
him to return. And said plaintiff further
says she fears if the said boy would re-
turn she would see serious evil would happen
to her, or the said boy, or both.

She further says that there is now an
action pending between one Juliana L.
Smith as plaintiff and herself as de-
fendant in the Third District Court of this
Territory, and that the said James Mac-
Knight, the defendant herein, has urged
her to go upon the witness stand and
perjure herself by giving false testimony
in the said action, which she is unwill-
ing to do. About six weeks ago, she,
the said defendant, was confined and was
prematurely confined; that immediately
before her confinement and when in
great pain and danger, she requested the
said James MacKnight to send for a
midwife, to wait upon her, but he re-
fused and went away, and she was com-
pelled to send one of her children for
the midwife to assist her; that she be-
came so dangerously ill that the midwife
insisted upon the said MacKnight, after he
returned home, that he immediately get a doctor,
which he reluctantly did, and that
without the doctor or the midwife have
since been paid for their services, as this
plaintiff verily believes.

This plaintiff further says that on the
6th day of March, 1885, the said de-
fendant was in the District Court of the
Third Judicial District of the Territory
of Utah, convicted of a felony and sen-
tenced to imprisonment in the Peniten-
tiary, and to pay a fine of \$12.00. All
of which causes her great mental dis-
tress, and is to her extremely painful.

She further says the said defendant
has no property, real or personal, ex-
cept household and kitchen furniture,
beds, and bedding, of small value, now
in the house occupied by her in the
Sixteenth Ward of this city.

She further says that from her
knowledge of the temper and disposi-
tion of said defendant that she has reason
to believe, and does believe, that as
soon as the petition is filed and the
summons served on him, he will treat
her and her children in a violent and
indictive manner, and remove the said
household and kitchen furniture and
food from her possession and conceal
the same, and she makes this statement
for the purpose of obtaining a restrain-
ing order.

She further says that she is the owner,
in her own right, of the following de-
scribed piece and parcel of land de-
scribed as follows, to wit: Commencing
six rods from the northwest corner of
Lot 5, in Block 57, as plotted in plot B,
Salt Lake City survey, and running
east thence ten rods, thence south four
rods, thence west ten rods, thence
north four rods to the place of begin-
ning, containing forty square rods of
ground, situated in the City and County
of Salt Lake and Territory of Utah, and
she has reason to believe and does be-
lieve that unless restrained the said
defendant will interfere with her pos-
session and right thereof, and she
makes this statement for the purpose of
obtaining a restraining order.

She therefore prays the court to take
her case into consideration and cause a
summons to be issued and served upon
the said James MacKnight, defendant
herein, and that the marriage contract

existing between the parties hereto be
dissolved and held for naught, and she
be divorced from the said James Mac-
Knight, and that the Court award to
her the care, custody and control of
the said children and each of them,
and that the said household and
kitchen furniture, beds and bedding and
food be awarded her, and order, adjudge
and decree that the said James Mac-
Knight pay to her the sum of \$50 per
month for her support, maintenance
and education of her children, and the
cost of this proceeding, including attor-
ney's fees, to be taxed, and that until
the hearing of this matter the court will
grant a restraining order restraining and
prohibiting the said James MacKnight
from in any manner interfering with
the said plaintiff and her children and
the said property.

MARY A. MACKNIGHT.

Upon reading the above complaint
the court issued a restraining order as
prayed for.

Summons in the case was issued yester-
day.

The Sunday School Union.

Superintendent Goddard has issued
the following: "No young lady, living
in the distant wards of the city, should
attend the Sunday School Union meet-
ings unless accompanied by a reliable
escort."

For their accommodation, and those
who may wish to attend those meetings,
arrangements have been made with the
street car superintendent for the cars
leading to the 1st, 11th, 6th and 20th
Wards, and Liberty Park, to remain on
the street until the meeting closes.

This arrangement commences next
Monday evening, and will continue
every month thereafter.

Police Court Pickings.

Mrs. Papst, arraigned on the charge
of disturbing the peace, was fined \$7.50
in the Police Court yesterday.

John Burns was gloriously drunk, so
much so, in fact, that the sturdy
officials were compelled to hire a hack
to get him to the City Hall. He was
fined \$5.00, the additional half dollar
being to reimburse the hack driver.

At the Rink.

The announcement of a prize mas-
querade at the Pavilion last evening was
sufficient to draw out a good assem-
blage. The prizes were won as follows:

Best dressed lady, Mrs. Reed, \$10; best
lady skater, Miss Josie Pollock, pair of
club skates; best gentleman skater,
Rolla Tibbels, pair of club skates; best
couple skaters, Mr. Carter, \$10.

In the race between Lon Sanders and
P. H. Gross, the latter to skate
eleven laps and the former ten, Sanders
won.

At the Fort To-day.

Following is the programme to be ren-
dered at the Fort to-day, commencing
at 4 o'clock:

1—March "Russian".....Faust.
2—Overture "La Vestale".....Mervandante.
3—Song "Last Rose of Summer".....Arr. Kinn.
4—Waltz "Dream on the Ocean".....Gungl.
5—Spanish Fantasia.....Arr. Milled.
6—Selections from Offenbach's Opera
Orpheus aux Enfers.....Heintze.
LUDWIG,
Chief Musician.

Black and Colored Silks and Silk Vel-
vets at very low prices.
F. AVERACH & BROS.

TICKETS are now out for a benefit
party—managed by Mrs. Joab Lawrence
—to be given at the Walker Opera
House, on Thursday evening next.
Tickets for sale at the office of Joab
Lawrence.

Utah Manufacture.

We have had a lot of Mrs. Youths',
and CHILDREN'S Suits made from Provo
Cassimere, and are now offering them
at prices that compete with imported
clothing. We have also a complete
stock of Flannels, Linseys, Waterproof,
Jeans, Tweeds, Blankets, Yarns, etc.,
wholesale and retail. Call and see us.
JOHN C. CUTLER & BROS.,
Agents Provo Woolen Mill
No. 55 East Temple Street, Hooper &
Eldridge Block.

The Best Coal in the Market
Is sold by E. R. Clute, 143 S. Main St.

Buy Pleasant Valley Coal From
Clute, 143 S. Main Street, telephone 143.

Wholesale Clothing Buyers can save
at least 10 per cent by buying their
goods at
L. GOLDBERG'S.

WHERE are you bound for? I am go-
ing to Simon Bros., to secure one of
their hats, ere they are all gone.

EVERYBODY in want of a stylish wrap
or Newmarket should not fail to ex-
amine our superb assortment.
F. AVERACH & BROS.

THAT HACKING COUGH can be so
quickly cured by Shiloh's Cure. We
guarantee it. For sale at A. C. Smith
& Co's Drug Store.

Go to E. R. Clute, 143 S. Main St.,
And buy any kind of coal you want.

SHILOH'S COUGH and Consumption
Cure is sold by us on guarantee.
It cures Consumption. For sale at A.
C. Smith & Co's Drug Store.

We have just opened a beautiful line
of linen, cambric and silk handkerchiefs
of the latest designs.
SIMON BROS.

EXAMINE the nobby styles in Fall
Overcoats at
L. GOLDBERG'S.

Steel Engravings.
We have just received from a New
York importing and publishing house a
large and very select lot of Steel En-
gravings, Photographs, Photograph
Art copies, etc. The pictures are the
best ever brought to Salt Lake, and
will be sold at New York prices. All
kinds of Picture Frames made to order.
RIVERS BROS.

SHILOH'S VITALIZER is what you
need for Constipation, Loss of Appetite,
Bizziness, and all symptoms of Dyspep-
sia. Price 10 and 75 cents per bottle.
For sale at A. C. Smith & Co's Drug
Store.

OPEN YOUR coal cans carefully and
sell the empties to Culmer Bros., at 15
cents each.

THE MINER CASE.

Again Comes Up, and is Again Taken Under Advisement.

The continuation of the proceedings
against Aurelius Miner on a motion to
disbar, began in the district court yester-
day morning. Mr. Kirkpatrick ap-
peared on behalf of the defendant. He
had not been able, he said, to make
more than a limited examination of
the case, but was under the impression
that there were some considerations that
the court should take cognizance of.

The motion for disbarment had, he al-
leged, been made on two grounds:
First—Because the defendant had been
convicted of a misdemeanor alleged to
involve moral turpitude. Second—Be-
cause of the defendant's having made
certain statements, regarding his prom-
ising to obey the law, at the time of
passing judgment. Moral turpitude
had been defined as everything done
contrary to honesty, justice, integrity
or good morals. Lawyers, however,
were not noted for their modesty, and
it was more than probable that if the
Court were to give this a strict con-
struction the ranks of the Salt Lake
legal profession would become badly
demoralized and considerably weak-
ened. He cited authorities in support of
his position. There was no instance, he
claimed, where a lawyer had been dis-
barred on account of sexual irregularities.
Courts could not enter upon this
question because it was outside of pro-
fessional conduct. It was not such
moral turpitude that courts had taken
into consideration in questions of dis-
barment. If, therefore, a lawyer could
not be disbarred for adultery, it would
be unprecedented to take such action
because of unlawful cohabitation. There
was a distinction between ordinary
bigamy and the polygamy of the Mor-
mons, the latter practicing it as a reli-
gious requirement, without introducing
any element of fraud. There was in
their practice no moral turpitude. Con-
gress had recognized this by legitimat-
ing the issue of Mormon polygamous
marriages, and Mormon marriages
alone. These considerations should be
regarded as relevant. The cohabitation
in this class of cases was not moral
turpitude, but would rather be such
as the plural families were
deserted. Lawyers were sometimes
lawless, but an instance had never
been known of a disbarment for
moral delinquencies fully equal to that
charged against the defendant.

In referring to the other point
Mr. Kirkpatrick declared that Mr.
Miner had not declared in terms that
he would not obey the law referred to,
but had said nothing, and cited the
fugitive slave law, as one he had re-
fused to obey. It would be very slight
ground to disbar an attorney because
he reserved the right to hold his own
opinion as to the constitutionality of a
law.

The Court then asked Mr. Miner
whether it was his intention to obey the
law. Mr. Miner declined to answer,
and Judge Kane held that such refusal
was equivalent to a saying that he would
not obey the laws. Mr. Kirkpatrick in-
sisted that the future action of Mr.
Miner should be judged by the future
results. He closed a lengthy and able
argument by requesting that the ques-
tion rest, at least for the present.

Mr. Thomas Marshall then spoke in
favor of the disbarment of the de-
fendant, and at the close of his remarks,
Judge Kane announced that he would
take the matter under advisement and
render a decision as soon as possible.

PERSONALS.

R. C. CHAMBERS is in from the Park.

W. S. GODDE left for Bullionville on
Friday.

MAJOR HILL is again driving on the
streets.

HUGH MCGREEVY, of Park City, is at
the Valley.

W. H. BAXTER returned from the
east last night.

S. W. ECKLES leaves for the pool meet-
ing in Chicago to-day.

FRANCIS CORP has gone to Chicago to
represent the Utah Central in the pool
meeting.

C. H. BENEDICT, of Kansas City, ac-
companied by his wife, is among the
Valley House arrivals.

BISHOP JOHN SHARP, John Sharp, Jr.,
and Misses Sasse and Lizzie Sharp left
yesterday for New York.

ELIAS MORRIS is in Bullionville. He
writes wrathfully of the mails and the
non-receipt of THE HERALD.

A. J. STEWART, of Provo, is in town in
the interests of the stock association. He
is quartered at the Spencer House.

W. H. REMINGTON, of Remington,
Johnson & Co., leaves for the east this
morning over the straight and narrow
way.

W. K. RICE, prosecuting attorney of
Sanpete County, is in Salt Lake. He is
en route home from Cache Valley, where
he has been to attend the funeral of his
father-in-law, Robert Leatham, late
Bishop of Providence.

GENTS' Youths', Boys' and Children's
Suits at the lowest prices in the city.
at F. AVERACH & BROS.

MIKADO.

Monday and Tuesday nights. Matinee
on Monday. Box Office open
again to-morrow.

PICKLED Pigs Feet, Tripe and Tong-
ues, at
CULMER BROS.

Oysters 40c to 50c Per Can.
New York Oyster from 40 to
50 cents per can at
COFFEE JOHN'S.

The Referee Saloon.

Call and see us at our new stand on
Godde's corner, Salt Lake Beer and
wine on draught. Headquarters for
baseballists and the general sporting
rendezvous.
CONDIE & WEST.

Fashionable Tailor.

Jos. Baumgarten, No. 111, Main street,
makes up the finest and best fitting
suits at prices to suit the times. He
has just imported a fine line of cloths,
of his own importations. Give him a call
and be convinced.

A HANDSOME line of stylish Cassimere
Suits just opened at
L. GOLDBERG'S.

THE WHY AND WHEREFORE.

Reasons that Induced Cleveland's Latest Order.

Special to THE HERALD.

WASHINGTON, October 31.—The Presi-
dent's manifesto shutting down on all
applicants for political offices, and
naming only a few hours during the
week when he can be approached by the
outside public, has created no little
consternation among the horde which
still lingers here in expectation of being
rewarded for their services.

The immediate reason for the mani-
festo, however, has thus far not been
given. On the day on which it was
made, the President was seated in his
private office with Colonel Lamont,
when a servant entered and handed
him one of the regulation cards pro-
vided for visitors. Upon these cards is
entered the name of the caller, his
address, and the business upon which
he desires an audience. The President
had no sooner read the card than he
shaded of deep annoyance passed over
his face. It read as follows:

PATRICK HENRY LANNAN,
Democratic Department of the Salt Lake
Tribune.

SALT LAKE CITY, UTAH.
On Post office Business.

The President remained for a moment
in hesitation as to what course to pur-
sue. His face at length brightened and
he said: "Tell the gentleman that I
only receive Irishmen once a month.
Ask him to call again on November 2d
or 3d." When the servant had
drawn, the President turned hurriedly
to Lamont and said: "I have just
thought of a new order. Write 'on and
after November 1st the President will
decline to grant interviews to those
seeking public positions or their advo-
cates.'"

The order was at once promulgated
and the real reason for it is now fur-
nished for the first time.

Salt Lake and Park City Stage Line.

By an advertisement in another
column it will be seen that the enter-
prising stage men, Roach & Mathews,
have made a still further reduction in
the fare on their stage line between this
and Park City. Passengers who take
this line dine at Roach's Halfway
house. To those who have stopped at
the latter place nothing need be said,
while to those who have never done so,
we would say they have missed the
most enjoyable meal of their lives.

We would advise all who contemplate
making this trip to go by Roach &
Mathews stage, where they are assured
of speed, comfort and genuine enjoy-
ment.

Kicking Against Kenney.

As intimated in a recent issue of THE
HERALD, a meeting was held in Provo
on Thursday evening last, to protest
against the recent appointment of J. G.
Kenney to be postmaster at that place.
Mrs. McCauslin. It was largely at-
tended by all classes of citizens, and re-
sulted in the sending of the following
dispatch:

PROVO CITY, October 29, 1885.
Postmaster-General, Washington, D. C.

A mass meeting of citizens was held
here to-night, and resolutions adopted
protesting against the appointment of
J. G. Kenney as postmaster here, on the
grounds of non-residence and unfitness
for the position. Delay further action
until resolutions resolutions reach you
by mail.
(Signed) W. H. DUSENBERY, Mayor.

And also the drafting of the following
resolutions:

Resolved, That we protest against the
appointment of Mr. J. G. Kenney as
postmaster of this city.

Resolved, That the said J. G. Kenney
is not a resident of Provo City or of Utah
Territory, is totally unfit for the office,
and if appointed and commissioned will
bring discredit upon the present admin-
istration of the Government.

A. G. Sutcliffe, Prof. T. M. Lincoln,
Dr. W. R. Pike, Thomas Beesley, Judge
W. N. Dusenberry, Rev. A. G. Craw-
ford and J. C. Graham were appointed
committee to circulate a petition among
the residents of Provo for signatures,
asking for the rejection of Kenney and
the retention of the present incumbent.

The Only Musician in the City

Engaged in the musical business. Ever
ready and willing to give the benefit of
our musical experience in selecting in-
struments or music for our numerous
friends and customers. We handle only
reliable goods, and sell at lowest pos-
sible living prices. Call and examine
our magnificent Fischer Pianos, un-
equalled for elegance, purity of tone
and durability. Washburne Guitars,
Dobson Banjos, fine Violins, latest
songs, and music for all instruments.
Remember the address, 33 W. First
South Street.

GEORGE CARELESS & Co.

Gas Fixtures, at Little, Roundy & Co.

THOROUGH FUMING OF THE CIGARETTE IS
attained by the use of GLEN'S SU-
PERIOR SOAP.

HILL'S HAIR AND WHISKER DYE, black
or Brown, 50c.